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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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JAN 15 2004

FACSIMILE COVER SHEET

TO: U.S. Patent & Trademark Office
Attn: Non-Fee Amendment
Examiner: Amanda R. Flynn
Art Unit: 3743

FROM: Kurt L. Grossman, Esq.

OFFICIAL

DATE: January 15, 2004

RE: Serial No. 09/753,355
Filed: December 29, 2000
Applicant: William F. Pooley, et al.
Title: **A Method And An Apparatus
For Forming A One-Piece
Introducer**
Our Ref.: MDXVA-69US-114

FAX NO.: 1-703-872-9306

TOTAL PAGES: 17 (including cover sheet)

MESSAGE/COMMENTS: OFFICIAL

Attached please find a Transmittal and Amendment in the above-captioned matter. Entry of the Amendment is requested. No fee is believed due herefor, but if one is due, per the Amendment Transmittal, the Office is authorized to charge our Deposit Account No. 23-3000. THIS FACSIMILE TRANSMISSION REPLACES THE TRANSMISSION PREVIOUSLY SENT, AS NOT ALL PAGES WERE RECEIVED, PER AUTO-REPLY.

Thank you.

Kurt L. Grossman, Esq., Reg. No. 29,799

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Application Serial No. 09/753,355
Amendment dated January 15, 2004
Reply to Office Action dated October 15, 2003

PATENT

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office at facsimile number (703) 872-9306, on January 15, 2004.


Kurt L. Gressman, Reg. No. 29,799

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William F. Pooley, et al.
Serial No.: 09/753,355
Filed: December 29, 2000
Group Art Unit: 3743
Examiner: Amanda R. Flynn
For: A METHOD AND AN APPARATUS FOR FORMING
A ONE-PIECE INTRODUCER
Atty Docket: 56301P551 (MDXVA-69US)

Cincinnati, Ohio 45202

Date: January 15, 2004

MAIL STOP NON- FEE AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

1. Transmitted herewith is an Amendment in response to the Final Official Action mailed October 15, 2003.
2. ☐ Small Entity status of this application under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Enclosed is a verified statement to establish Small Entity status.
☒ Other than a Small Entity.

3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	14	MINUS	30	0	x \$9	\$0	x \$18	\$0
INDEP.	3	MINUS	3	0	x \$43	\$0	x \$86	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$145	\$0	+\$290	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X No additional fee for claims is required.

4. Attached is a check in the sum of \$0.00.

— Please charge my Deposit Account No. 23-3000 in the amount of \$_____.
A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) — Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
___ one month	\$ 110.00	\$ 55.00
___ two months	\$ 410.00	\$205.00
___ three months	\$ 930.00	\$465.00
___ four months	\$1,450.00	\$725.00
___ five months	\$1,970.00	\$985.00

Extension fee due with this request \$0.00.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

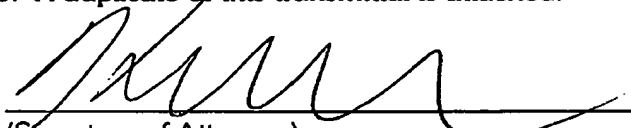
___ An extension for ___ months has already been secured and the fee paid thereof of \$ ___ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$ ___.

OR

(b) X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

X If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

WOOD, HERRON & EVANS, L.L.P.
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(513) 241-2324


(Signature of Attorney)

Kurt L. Grossman
Reg. No. 29,799

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Application Serial No. 09/753,355
Amendment dated January 15, 2004
Reply to Office Action dated October 15, 2003

OFFICIAL

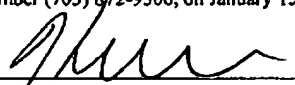
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CERTIFICATE OF FACSIMILE TRANSMISSION

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Kurt L. Grossman
Date**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No: 09/753,355
Filed: December 29, 2000
Applicant: William F. Polley, et al.
Title: A METHOD AND AN APPARATUS
FOR FORMING A ONE-PIECE INTRODUCER
Art Unit: 3743
Examiner: Amanda R. Flynn
Attorney Docket: 56301P551 (MDXVA-69US)
Confirmation No.: 9724

Cincinnati, Ohio 45202

January 15, 2004

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

In response to the Office Action dated October 15, 2003, in the above-identified application, Applicants respond as follows:

Amendments to the Claims are reflected in the Listing of Claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.